

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
TRENTON VICINAGE

ASSOCIATION OF NEW JERSEY
RIFLE & PISTOL CLUBS, INC.,
BLAKE ELLMAN, and ALEXANDER
DEMBOWSKI,

Plaintiffs,

v.

GURBIR GREWEL, in his official capacity as Attorney General of New Jersey, PATRICK J. CALLAHAN, in his official capacity as Superintendent of the New Jersey Division of State Police, THOMAS WILLIVER, in his official capacity as Chief of Police of the Chester Police Department, JAMES B. O'CONNOR, in his official capacity as Chief of Police of the Lyndhurst Police Department,

Defendants.

Hon. Peter G. Sheridan, USDJ
Hon Lois H. Goodman, USMJ
Docket: 3:18-1507 (PGS) (LHG)

CIVIL ACTION
(ELECTRONICALLY FILED)

Return Date: March 18, 2019

STATEMENT IN LIEU OF BRIEF

Defendant, JAMES B. O'CONNOR, in his official capacity as Chief of Police of the Lyndhurst Police Department, joins in the Motion for Summary Judgment filed by co-Defendants, GURBIR GREWEL and PATRICK J. CALLAHAN (ECF No. 84), and adopts the positions and arguments set forth by the co-Defendants in their brief in support of the motion as if fully set forth herein.

Chief O'Connor has been named in the litigation in his official capacity as the Chief of Police for the Lyndhurst Police Department. The Lyndhurst Township Police department was established pursuant to N.J.S.A. 40A:14-118. The general responsibilities of the Lyndhurst Township Police department include "enforce[ing] all federal, state and local laws and ordinances within department jurisdiction." Appendix 2 of the Lyndhurst Civil Code, Section 3:1.5.

The allegations set forth in the Complaint as against each of the Defendants do not turn on the individual actions of any of the Defendants. All arguments advanced by co-Defendants, Gurbir Grewal and Patrick J. Callahan, are equally applicable to Chief O'Connor and the Lyndhurst Police Department who are charged with enforcing New Jersey state law.

In view of the above, and to reduce the burden on this Court and with respect to repetitive filings, Chief O'Connor respectfully joins in and adopts the Motion for Summary Judgment filed by co-Defendants, Gurbir Grewal and Patrick J. Callahan, (ECF No. 84) and, adopts by reference each and every argument set forth in said motion papers. Chief O'Connor respectfully requests this Honorable Court deem said Motion for Summary Judgement as Defendant's responsive pleading, with such further relief as the Court may deem proper and just.

Respectfully submitted,

By: Jennifer Alampi /s/
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Dated: February 14, 2019